

REMARKS

In response to the Office Action dated July 7, 2006, Applicants respectfully request reconsideration.

Response to Arguments

Regarding the rejection of independent claims 1, 10, 17 22, 23, 29, 31, 33, and 35 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,985,865 (Packingham), in view of U.S. Patent No. 6,535,912 (Anupam), the Applicants thank the Examiner for his well organized response, however, they respectfully assert that these claims are patentable over Packingham in view of Anupam.

Applicants maintain that Anupam “is directly dependent on the DOM API supported by the browser” as argued on page 16 of Applicants’ 5/18/06 response (see page 2 of the 7/7/06 Office Action). The DOM API embodiment discussed in Anupam is not merely a preferred embodiment of the invention as suggested by the Examiner (see 7/7/06 OA, page 3). Rather, the DOM API is the only embodiment suggested. Specifically, it is the DOM event handler mechanism which allows Anupam to obtain indications of when and which URL is clicked upon by the user during the recording process (see Col. 5, lines 39-43). This browser extension mechanism is essential, as only the browser can map mouse (x,y) screen coordinates to locations on a rendered HTML page, and in turn determine the URL clicked upon, and Anupam operates without modification of the browser code itself (which is generally not possible without the source code for the browser).

Additionally, in contrast to the Examiner’s comments that “Anupam discloses additional implementations such as a general program to perform the recording and playing functions” (see 7/7/06 OA, page 3, citing Col. 12, lines 26-31), the Applicants’ assert that these embodiments actually refer to the differences between recorder-player applets (i.e. code running within a web page) and similar instructions residing in a program running outside of the browser (see the contrast in Col. 12 between lines 22-25 and lines 26-31). That is, the different embodiments suggested by the Examiner do not eliminate the dependence on the DOM event API. Both the applet and general program embodiments utilize the DOM event API to achieve the discussed results.

The Applicants also assert that the combination of Anupam with VoiceXML is improper, because at the time of the invention, there was no motivation to combine two incompatible systems. The Examiner asserted that Anupam discloses a recorder-player application that could be applied to pages containing any type of markup language (see 7/7/06 OA, citing Col. 13, lines 21-29). The Applicants assert, however, that the pages in Anupam are limited to markup languages and browsers which are compatible with the objects and handlers in the required DOM event API. Therefore, the use of VoiceXML with Anupam suggested by the Examiner is improper because VoiceXML is not compatible with the DOM event API required by Anupam.

At the time of the invention, VoiceXML and VoiceXML browsers did not support the DOM model, and in particular the DOM event API. Thus, the event handler technique required by Anupam was not available for VoiceXML browsers. If, instead, VoiceXML documents were presented to a visually-oriented browser such as those which did support the DOM event API, the browser would simply display the text of the VoiceXML directives, as it would not be programmed to perform audio playback, speech synthesis, or speech recognition, as used by VoiceXML dialogue pages. So, the DOM event API as discussed in Anupam could not be applied to VoiceXML at the time of the invention.

The Applicants also respectfully disagree with the Examiner's assertion that "one of ordinary skill in the art at the time of the invention would clearly be capable of resolving the 'technical differences' between HTML and voice applications (e.g. by creating a record-player application in VoiceXML) to modify Packingham to record the user's voice inputs up to a bookmarked location." (see 7/7/06 OA, pages 3-4). Anupam discusses storing the DOM location of a link to a current page in a smart bookmark (Col. 6 lines 36-37). Applicants assert that to the extent Anupam discusses audible information, it is limited to the presentation of the information and does not discuss saving vocal input from the user (Col. 13, lines 21-29). Packingham discusses a voice application that includes bookmarks that function as user-specific shortcuts to navigation points, such as URIs or menu items (Col. 14, lines 56-58). Given the mutually exclusive paths of Anupam (i.e., a non-voice input application based on the DOM event API) and Packingham (VXML voice-command platform), it would not have been obvious to one of ordinary skill in the art at the time of the invention to combine Anupam and Packingham to create a record-player application in VoiceXML, as suggested by the Examiner.

Therefore, claims 1, 10, 17, 22, 23, 29, 31, 33, and 35 are patentable over Packingham and Anupam for at least the reasons noted, as applicable to the respective claims.

Claim Rejections under 35 USC §103

Claims 1, 3-8, 10-18, 22, 23 and 25-27 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Packingham in view of Anupam. Applicants respectfully assert that these claims are patentable over Packingham and Anupam.

Regarding independent claim 1, neither Packingham nor Anupam alone or in combination teach, disclose or suggest saving a representation of vocal input by a user up to a bookmarked location in a voice application. Packingham discusses a voice application that includes a set of bookmarks that function as user-specific shortcuts to navigation points, such as URIs or menu items (Col. 14, lines 56-58). Packingham does not disclose saving a representation of vocal input by the user to the voice application up to the bookmarked location in the voice application (7/7/06 Office Action Response, page 5). Additionally, Packingham discusses saving a URI or the label of whatever other navigation point the user was accessing at the time (Col. 15 lines 10-15), but does not teach, disclose or suggest saving a representation of the vocal input by the user, as recited in claim 1 (also see 7/7/06 OA, page 17). Anupam discusses a smart bookmark including a stored sequence of browsing steps performed by the user which can be played and replayed later when the smart bookmark is accessed (Abstract). The bookmark in Anupam contains a set of link traversals, wherein each link traversal is dependent on the DOM API (e.g. DOM locations or other path expressions) (Col. 9, line 10 to Col. 10 line 64). Thus, Anupam discusses saving only DOM dependent link traversals in a bookmark and not the actual user input or representation thereof. Anupam discusses that the contents of links may change, and that these changes pose a problem to the user (Col. 9, lines 41-42). Claim 1, however, recites saving a representation of vocal input by the user and therefore provides subsequent operational benefits when the user accesses the saved bookmark. Specifically, by replaying the actual user input or representation thereof (speech, or transcribed speech) claim 1 enables a process of recreating the user interaction including how the user originally arrived at the content, and not simply the links traversed. Since Anupam depends upon the DOM event API, Anupam has no ability to record the actual user input. Further, to the extent Anupam discusses vocal applications, it is limited to only the display and/or presentation of audible

information, and does not discuss saving vocal input from the user (Col. 13 lines 21-29). In contrast, claim 1 recites a method for providing a bookmark in a voice application including creating, upon a user request, a bookmark to a location in the voice application in accordance with vocal input provided to the voice application, wherein the creating includes saving a pointer to the voice application, and saving a representation of vocal input by the user to the voice application up to the bookmarked location in the voice application. Thus, for at least these reasons, independent claim 1, and claims 3-8 that depend directly or indirectly from claim 1, are patentable over Packingham in view of Anupam.

Regarding independent claim 10, neither Packingham nor Anupam alone or in combination teach, disclose or suggest creating a bookmark including saving a representation of vocal input by a user up to a bookmarked location in a voice application. Packingham discusses saving a URI or the label of whatever other navigation point the user was accessing at the time (Col. 15 lines 10-15), but does not teach, disclose or suggest saving a representation of the vocal input by the user, as recited in claim 10. Anupam discusses saving only DOM dependent link traversals in a bookmark and not the actual user input or representation thereof. In contrast, claim 10 recites an apparatus for providing a user access to a voice application through a computer network, including a server coupled to the computer network, wherein the server has a processor that is programmed to allow a user to access the voice application and provide vocal input to the voice application, and to create, upon a user request, a bookmark to a location in the voice application in accordance with vocal input provided to the voice application, wherein the bookmark includes a pointer to the voice application, and a representation of vocal input by the user to the voice application up to the bookmarked location in the voice application. For at least these reasons, independent claim 10, and claims 11-16 that directly depend on claim 10, are patentable over Packingham in view of Anupam.

Regarding independent claim 17, neither Packingham nor Anupam alone or in combination teach, disclose or suggest means for creating a bookmark including saving a representation of vocal input by a user up to a bookmarked location in the voice application. Packingham discusses saving a URI or the label of whatever other navigation point the user was accessing at the time (Col. 15 lines 10-15), but does not teach, disclose or suggest saving a representation of the vocal input by the user, as recited in claim 17. Anupam discusses saving only DOM dependent link traversals in a bookmark and not the actual user input or

representation thereof. In contrast, claim 17 recites an apparatus for providing a user access to a voice application through a computer network, including a processor and associated memory, wherein the processor includes means for creating, upon a user request, a bookmark to a location in the voice application in accordance with vocal input provided to the voice application, wherein the means for creating includes means for saving a pointer to the voice application, and means for saving a representation of vocal input by the user to the voice application up to the bookmarked location in the voice application. For at least these reasons, independent claim 17 and claim 18 that depends directly from claim 17, are patentable over Packingham in view of Anupam.

Regarding independent claim 22, neither Packingham nor Anupam alone or in combination teach, disclose or suggest means for creating a bookmark including saving a representation of vocal input by a user up to a bookmarked location in the voice application. Packingham discusses saving a URI or the label of whatever other navigation point the user was accessing at the time (Col. 15 lines 10-15), but does not teach, disclose or suggest saving a representation of the vocal input by the user, as recited in claim 22. Anupam discusses saving only DOM dependent link traversals in a bookmark and not the actual user input or representation thereof. In contrast, claim 22 recites a system for providing a user access to a voice application through a computer network, including a processor is programmed to create, upon a user request, a bookmark to a location in the voice application in accordance with vocal input provided to the voice application, wherein the bookmark includes a pointer to the voice application, and a representation of vocal input by the user to the voice application up to the bookmarked location in the voice application. For at least this reason, independent claim 22 is a patentable over Packingham in view of Anupam.

Regarding independent claim 23, neither Packingham nor Anupam alone or in combination teach, disclose or suggest means for creating a bookmark including saving a representation of vocal input by a user up to a bookmarked location in the voice application. Packingham discusses saving a URI or the label of whatever other navigation point the user was accessing at the time (Col. 15 lines 10-15), but does not teach, disclose or suggest saving a representation of the vocal input by the user, as recited in claim 23. Anupam discusses saving only DOM dependent link traversals in a bookmark and not the actual user input or representation thereof. In contrast, claim 23 recites an article of manufacture, including

computer readable program code means for causing a computer system to create, upon a user request, a bookmark to a location in the voice application in accordance with vocal input provided to the voice application, wherein the means for causing the computer system to create a bookmark includes means for causing the computer system to save a pointer to the voice application, and means for causing the computer system to save a representation of vocal input by the user to the voice application up to the bookmarked location in the voice application. For at least these reasons, independent claim 23, and claims 25-27 that depend directly or indirectly from claim 23, are patentable over Packingham in view of Anupam.

Claims 9, 19-21 and 28-36 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Packingham, in view of Anupam, and in further view of Applicant's admitted prior art. Applicants respectfully assert that these claims are patentable over Packingham, Anupam, and the admitted prior art.

Regarding dependent claims 9 and 28, Applicants respectfully assert that these claims are patentable over Packingham, Anupam and the admitted prior art. The Examiner does not assert that the admitted prior art makes up for the deficiencies of Packingham and Anupam noted above with respect to claims 1 and 23. Thus, claim 9 that directly depends from claim 1, and claim 28 that directly depends on claim 23, are patentable over Packingham, Anupam, and the admitted prior art.

Regarding claims 19-21, Applicants respectfully assert that these claims are patentable over Packingham, Anupam, and the admitted prior art. The Examiner does not assert that the admitted prior art makes up for the deficiencies of Packingham and Anupam noted above with respect to independent claim 17. Thus, claims 19-21 that indirectly depend from claim 17 are patentable over Packingham, Anupam and in view of the admitted prior art.

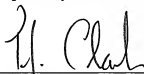
Regarding independent claim 29 and independent claim 31, Packingham, Anupam and the admitted prior art do not teach, disclose or suggest saving a representation of vocal input by the user to the voice application up to the bookmarked location in the voice application. Packingham does not disclose saving the response from the user (see 7/7/06 OA, page 17). Anupam discusses saving only DOM dependent link traversals in a bookmark and not the actual user input or representation thereof. Further, to the extent Anupam discusses vocal applications, it is limited to only the display and/or presentation of audible information, and does not discuss saving vocal input from the user (Col. 13 lines 21-29). Thus, it would not be obvious to one of

ordinary skill in the art at the time of the invention to modify Packingham to save a representation of the vocal input by the user up to the bookmarked location in a voice application, as recited in claims 29 and 31. For at least these reasons independent claim 29, and claim 30 which directly depends from claim 29, and independent claim 31, and claim 32 which directly depends from claim 31, are patentable over Packingham, Anupam, and the admitted prior art.

Regarding independent claim 33 and independent claim 35, Packingham, Anupam and the admitted prior art do not teach, disclose or suggest saving a representation of vocal input by the user to the voice application up to the bookmarked location in the voice application. Packingham does not disclose saving the response from the user (see 7/7/06 OA, page 17). Anupam discusses saving only DOM dependent link traversals in a bookmark and not the actual user input or representation thereof. Further, to the extent Anupam discusses vocal applications, it is limited to only the display and/or presentation of audible information, and does not discuss saving vocal input from the user (Col. 13 lines 21-29). Thus, it would not be obvious to one of ordinary skill in the art at the time of the invention to modify Packingham to save a representation of the vocal input by the user up to the bookmarked location in a voice application, as recited in claims 33 and 35. For at least these reasons independent claim 33, and claim 34 which directly depends from claim 33, and independent claim 35, and claim 36 which directly depends from claim 35, are patentable over Packingham, Anupam, and the admitted prior art.

Based on the foregoing, this application is believed to be in allowable condition, and a notice to that effect is respectfully requested. The Examiner is invited to call Applicants' Attorney at the number provided below with any questions.

Respectfully submitted,



T.J. Clark, Registration No. 54,039
Attorneys for Applicants
Mintz, Levin, Cohn, Ferris,
Glovsky and Popeo, P.C.
Address all written correspondence to
Customer No. 30623
Telephone 617/348-3022
Fax: 617/542-2241

Date: September 7, 2006

TRA 2195611v.1